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## CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 - 7111 Facsimile 847 – 905 – 7113

Date:

**NOVEMBER 21, 2005** 

To:

EXAMINER TORRES, M.

U.S. PATENT AND TRADEMARK OFFICE

Fax #:

(571) 273-8300

From:

FRANK C. NICHOLAS

Phone #:

(847) 424-2521

Client/Matter No.:

DP-306477 (7500/124)

# of Pages:

5

(including cover sheet)

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|   |   |              |   |                          |  |   | Application Number   |                        |  | 09/987,745 REC         |                         |   |                              |  |  |
| File File File File File File File File             |   |              |   |                          |  | Filing Date   |                      |                        | NOVEMBER 28, 2001 CENTRAL F  |                        |                         |   |                              |  |  |
|   | Fi  |              |   |                          |  |   | First Named Inventor |                        |  | SANJIV G. TEWANI NOV 2 |                         |   |                              |  |  |
| (во ве изва гог ви согласуонаемсе after имее fung). |   |              |   |                          |  |   | Group Art Unit       |                        |  | 3683                   |                         |   |                              |  |  |
|   | F   |              |   |                          |  |   |                      | Examiner               |  |                        | TORRES, M.              |   |                              |  |  |
| -   |   | <u> </u>     |   |                          | E  | HCLOS   | SURES (check         | all t                  | hat apply)   |                        |                         |   |                              |  |  |
|   | 1 Amenament                                     |              |   |                          |  | signment Papers<br>r en Application)                    |                      |                        |  |                        | Communication           |   |                              |  |  |
|   |   |              |   |                          |  | wings:  |                      |                        |  | Whomp                  | peals and Interferences |   |                              |  |  |
|   |   |              |   |                          | After Allowance Communication to   |   |                      |                        | Appeal Communication to Group<br>(Appeal Notice, Bast, Reply Bast) |                        |                         |   |                              |  |  |
|   | Affidavits/declaration(s)                       |              |   |                          | Group<br>Persion Rousing Step (PTO/SB/69) and  |   |                      |                        |  | etary information      |                         |   |                              |  |  |
|   | Crarie 1  | -04          |   |                          |  | Accompanying Perition Request for Continued Examination |                      |                        |  | •                      |                         |   |                              |  |  |
| _   | Status Let                                      |              |   |                          | ×  | (RCE) Transmittal Power of Attorney, Revocation C       |                      |                        | mon Channe   |                        |                         | Post Card Receipt                                   |                              |  |  |
|   | Extension of Time Request (duplic)              |              |   |                          |  | of Correspondence Address                               |                      |                        |  |                        |                         | Additional Enclosure(s)<br>(please identify below): |                              |  |  |
|   | Express Abandonment Request                     |              |   |                          |  | Terminal Disclaimer                                     |                      |                        |  | ļ                      |                         |   |                              |  |  |
|   | Information Disclosure Statement, PTO-1449, art |              |   |                          | Small Entity Statement   |   |                      |                        |  |                        |                         |   |                              |  |  |
|   | Centified Copy of Priority Document(s)          |              |   |                          |  | Request of Refund                                       |                      |                        |  |                        |                         |   |                              |  |  |
| Incomplete Application   I cn                       |   |              |   | cred                     | The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.   |   |                      |                        |  |                        |                         |   |                              |  |  |
| that:   |   |              |   |                          | hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated figes which have not exherins been paid to Deposit Account No. 50-1713. A duplicate copy of this sheet is inclosed. |   |                      |                        |  |                        |                         |   |                              |  |  |
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| Firm<br>or<br>(ndividi                              | ışı name  | R<br>C       | RANK C NIC<br>legistration N<br>ARDINAL LA<br>603 Omington<br>vanston, IL | CHOLA<br>D. 33,9<br>W GR | .S<br>83<br>OUP  |   |                      |                        | MICT, OR AC  |                        | •                       |   |                              |  |  |
| Signature On College                                |   |              |   |                          |  |   |                      | Date NOVEMBER 21, 2005 |  |                        |                         |   |                              |  |  |
|   |   | <del>'</del> |   | 7                        |  | CERT  | IFICATE OF F         | ACS                    | MILE   |                        | ,                       |   |                              |  |  |
|   |   |              | orrespondence<br>and Tradema  |                          |  |   | ed by facsımle<br>:  | to (                   | 571) 273-8300  | ) to                   |                         | NOVEME  | ER 21, 2005                  |  |  |
| Signatu   |   | 2            | L II  | 1                        |  |   |                      |                        |  | Date                   | NOVE                    | MBER 21, 20   | <u>05</u>                    |  |  |

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| TRANSMITTAL                 |  |   |                              |                     |  | Attorney Doc   | ket .                         | No.  | DP-3                                    | 06477   | (750                                   | 0/124)                                |            |
|                             |  |   |                              |                     | Application Number   |  | per                           | 09/997,745   |   |   | RECE                                   |                                       |            |
| FORM                        |  |   |                              |                     |  | Filing Date NOVE   |                               |  | IOVEMBER 29, 2001                       |   |  |                                       |            |
|                             |  |   |                              |                     |  | First Named  | med Inventor SANJIV G. TEWANI |  |   | NOV 2   |  |                                       |            |
| μο                          | Group Art Unit                                     |   |                              | 3683                |  |  |                               |  |   |   |  |                                       |            |
|                             | Examiner   |   |                              | TORRES, M           |  |  |                               |  |   |   |  |                                       |            |
|                             |  |   |                              | E                   | NCLO   | SURES (check   | all                           | mar anglys   |   |   |  |                                       |            |
| Ame                         | endment  |   |                              |                     | Assignment Papers  |  |                               | Appeal Communication to Board of                           |   |   |  |                                       |            |
|                             | Amendment  |   |                              |                     | (for an Application)   |  |                               | Appeal Communication to Board of Appeals and Interferences |   |   |  |                                       |            |
|                             | After Final  |   |                              |                     | Drawings   |  |                               |  | An                                      | оваі С  | ommunicanon ro                         | Group                                 |            |
|                             | Affidavits/declaration(s)                          |   |                              |                     | After Allowance Communication to<br>Group  |  |                               |  |   | ppeal Communication to Group<br>Appeal Nosce, <i>Birell, Reply Birell</i> ) |  |                                       |            |
|                             |  |   |                              |                     | Petroon Routing Skp (PTO/SB/69) and<br>Accompanying Petroon  |  |                               | Propnetary Information                                     |   |   |  |                                       |            |
| Status Letter               |  |   |                              |                     | Request for Continued Examination (RCE) Transmittal  |  |                               |  | Post Card Receipt                       |   |  |                                       |            |
|                             |  |   |                              |                     | Power of Attorney, Revocation Change   |  |                               | •                    |   |   |  |                                       |            |
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| -J                          |  | •   |                              |                     | Tem  | nınal Disclaimer   |                               |  |   |   |  | · · · · · · · · · · · · · · · · · · · |            |
|                             | Information Disclosure Statement,<br>PTO-1449, art |   |                              |                     | Small Entry Statement  |  |                               |  |   |   |  |                                       |            |
| ☐ Centri                    | hea Capy of F                                      | Poenty Docum  | ent(s)                       |                     | Request of Retund  |  |                               |  |   |   | ······································ |                                       |            |
|                             | onse to Miss                                       |   |                              | — ⊠                 | The  | The Commissioner is nereby authorized to charge any fees which may be required, or |                               |  |   |   |  | requireg, or                          |            |
| — Incomplete Application    |  |   |                              | - IZAI              | credit any overpayment, to Deposit Account No. 50-1713. A quipicate copy of this sheet is enclosed.  |  |                               |  |   |   |  |                                       |            |
|                             |  |   |                              |                     | I hereby petition under 37 CFR § 1 136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 50-1713. A duplicate copy of this sheet is enclosed. |  |                               |  |   |   | ive not                                |                                       |            |
|                             |  |   |                              |                     |  | ALCULATION (   | DF É                          | EE   |   |   |  |                                       |            |
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| Cia                         | ams After  |   |                              | esi No<br>iousiy    |  | Present  | ] [                           |  | Add'                                    | l   | COF                                    |                                       | Ago'l      |
| Am                          | Amendment Paid I                                   |   | For                          |                     | Елта   | ↓  | Rate                          | Fee  |   |   | Rate                                   | Fee                                   |            |
| otal                        |  | Minus   | <del> </del>                 |                     |  |  | 1                             | x \$25=  | -                                       | 0   |  | x \$50=                               |            |
| аер                         |  | Minus   | 1                            |                     |  |  | -                             | × \$100=   |   | 0   |  | x \$200=                              | \$0        |
| st Presenta                 | tion of Multip                                     | ots Dep Claum   | ·                            |                     |  |  | J                             | +\$180=  |   |   |  | - \$360=                              |            |
|                             |  |   | SIGN                         | ATURE               | QF A   | PPLICANT, AT   | ПО                            | total add1 fee<br>RNEY, OR AC                              | • | \$ 0  |  | total add'i fee                       | 50         |
| r<br>dividual nan           | ne 6   | RANK C. Ni<br>Registration for<br>ARDINAL L<br>503 Omingto<br>vanston, IL | No 33,9<br>AW GR<br>In Aveni | 83<br>OUP           | te 200   | 0  |                               |  |   |   | •                                      |                                       |            |
| Signature July Company      |  |   |                              |                     |  |  |                               | Date   | NO                                      | /EME  | ER 21, 2005                            |                                       |            |
|                             |  |   | /                            | _                   |  | FICATE OF FA   |                               |  |   |   |  |                                       |            |
| ereby ceruf<br>e United Sta | y that this o                                      | orrespondendand   | ce is be<br>irk Offic        | ing trai<br>e on th | nsmitte<br>is date   | ed by facsimile  | to (                          | 571) 2 <b>73-830</b> 0                                     | ar (                                    |   |  | NOVEMBE                               | R 21, 2005 |
|                             | 17   | 100   | 1.51                         | 7                   |  |  |                               |  |   |   | <b></b>                                |                                       |            |
| gnature                     | FRANK (  | NICHOLA   | 5 (33,98                     | 33)                 |  |  |                               |  | Date                                    | NC  | IVEN                                   | BER 21, 2005                          | ì          |

## NOV 2 1 2005

PTO/6B/30 (04-05) Approved for use through 07/31/2006 OMB 0551-0031

U.S. Paters and Trademant Office, U.S. DEPARTMENT OF COMMERCE

Under the Paderwork Reduction Act of 1995, no persons are required to respond to a concern of information unless it contents a relief OMB control number.

| Request  | Application Number  | 09/997,745        |                             |  |  |  |  |  |  |  |  |
|--|---|-------------------|-----------------------------|--|--|--|--|--|--|--|--|
| for  | Filing Date   | NOVEMBER 29, 2001 |                             |  |  |  |  |  |  |  |  |
| Continued Examination (RCE)  | First Named Inventor  | SANJIV G. TEWANI  |                             |  |  |  |  |  |  |  |  |
| Transmittal  | Art Unit  | 3683              |                             |  |  |  |  |  |  |  |  |
| Mail Stop RCE<br>Commissioner for Patents  | Examiner Name   | TORRES, M         |                             |  |  |  |  |  |  |  |  |
| P.O. Box 1450<br>Alexandria, VA 22313-1450   |   | DP-306477 (7      | (500/124)                   |  |  |  |  |  |  |  |  |
| This is a Request for Continued Examination (RCE)  | Attorney Docket Number OP-306477 (7500/124)  under 37 CFR 1.114 of the above-identified application. FR 1.114 does not apply to any utility or plant application filed prior to June 8, CEs (not to be submitted to the USPTO) on page 2. |                   |                             |  |  |  |  |  |  |  |  |
| Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). |   |                   |                             |  |  |  |  |  |  |  |  |
| a. Previously submitted if a linal Office action is outstanding, any amendments filed after the limits Office action may be considered as a submission even if this box is not checked.  |   |                   |                             |  |  |  |  |  |  |  |  |
| Consider the arguments in the Appeal Brief or Reply Brief previously filed on October 27, 2005   |   |                   |                             |  |  |  |  |  |  |  |  |
| [i Other   |   |                   |                             |  |  |  |  |  |  |  |  |
| b. L Endôsed   |   |                   |                             |  |  |  |  |  |  |  |  |
| I. Amendment/Reply   | iii, Informațion Disclosure Statement (IDS)   |                   |                             |  |  |  |  |  |  |  |  |
| Other  |   |                   |                             |  |  |  |  |  |  |  |  |
| Miscellaneous     Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a     period of months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)  |   |                   |                             |  |  |  |  |  |  |  |  |
| D Other  |   |                   |                             |  |  |  |  |  |  |  |  |
| The RCE fee under 37 CFR 1.17(e) is required by \$7 CFR 1.114 when the RCE is filed.  The Director is heraby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No 50-1713. I have enclosed a duplicate copy of this sheet  |   |                   |                             |  |  |  |  |  |  |  |  |
| i. RCE fee required under 37 CFR 1.17(e)   | )   |                   |                             |  |  |  |  |  |  |  |  |
| i Extension of time fee (37 CFR 1.138 and 1  | .17)  |                   |                             |  |  |  |  |  |  |  |  |
| ti) Other  |   |                   |                             |  |  |  |  |  |  |  |  |
| p Check in the amount of \$enclosed  |   |                   |                             |  |  |  |  |  |  |  |  |
| c. Payment by credit card (Form PTC-2038 enclosed)   |   |                   |                             |  |  |  |  |  |  |  |  |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED  Signature 21, 2005  |   |                   |                             |  |  |  |  |  |  |  |  |
| Signature  Name (Pnnt/Type) FRANK C. NICHOLAS  |   |                   | November 21, 2005<br>33,983 |  |  |  |  |  |  |  |  |
|  | F MAILING OR TRANSMISSION   |                   |                             |  |  |  |  |  |  |  |  |
| I hereby centry that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mas in an envelope addressed to: Mail Step RCE, Commissioner for Patents, P. O. Box 1450. Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark.  |   |                   |                             |  |  |  |  |  |  |  |  |
| Office on the date shown below Signature  ALITIMA  |   |                   |                             |  |  |  |  |  |  |  |  |
| Natio (Print/Type) FRANK C NICHOLAS  | Раф   |                   |                             |  |  |  |  |  |  |  |  |
| This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiatity is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete.   |   |                   |                             |  |  |  |  |  |  |  |  |

to process) an application Confidentiatry is governed by 35 U.S.C. 122 and 37 CPR 1.11 and 1.14 This collection is estimated to take 12 minutes of completely application form to be USPTO. Time with vally depending upon the individual case. Any comments on the almount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Matt Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/30 (04-05) Approved for use through 07/31/2006 OMB 0651-0031 U.S. Patent and Tracemark Office; U.S. DEPARTMENT OF COMMERCE unga, ina Papenyon, Requition Act of 1995, no persons are repayable to respond to a collection of information unitary it contains a valid QMB control number Request 09/997 745 Application Number for NOVEMBER 29, 2001 Filing Date Continued Examination (RCE) SANJIV G TEWANI First Named Inventor Transmittal Address to Art Unit Mail Stop RCE TORRES M Commissioner for Patents Examiner Name P.O. Box 1450 Attorney Docket Number DP-306477 (7500/124) Alexandna, VA 22313-1450 This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1 114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amenaments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise if applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s) Previously submitted, if a final Office action is outstanding, any amendments filed after the final Office action may be ~ considered as a submission even if this box is not checked Consider the arguments in the Appeal Brief or Reply Brief previously filed on October 27, 2005 Other Enclosed Information Disclosure Statement (iDS) Amengment/Reply Affidavit(s)/ Declaration(s) ii. Miscellaneous Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a penod of \_\_\_\_\_\_months. (Penod of suspension shall not exceed 3 months; Fee under 37 CFR 1 17(i) required) The RCE fee under 37 CFR 1 17(e) is required by 37 CFR 1 114 when the RCE is filled. Fees The Director is negapy authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to 1 . I have enclosed a duplicate copy of this sheet. Deposit Account No 50-1713 RCE fee required under 37 CFR 1 17(e) Excension of time tee (37 CFR 1.138 and 1.17) m. Check in the amount of \$ \_\_\_ enclosed Payment by credit card (Form PTO-2038 enciosed) WARNING: information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED November 21, 2005 Signature

| Name (Phnt/Type)  | FRANK C'NICHOLAS  | Regis  | stration No.    | 23,983                                     |                      |  |  |  |  |  |  |
|---|---|--|-----------------|--|----------------------|--|--|--|--|--|--|
| CERTIFICATE OF MAILING OR TRANSMISSION  |   |  |                 |  |                      |  |  |  |  |  |  |
| I nerepy certify that the<br>addressed to Masi Sto<br>Office on the date show | correspondence is being deposited with the United State<br>p RCE, Commissioner for Paterits, P. O. Box 1450. Alexa<br>on below. | es Postal Service with sufficient p<br>Indna, VA 22313-1400 or facsimi | i petimaneti el | class mai in an env<br>o the u S Patent an | stope<br>d Trademê/k |  |  |  |  |  |  |
| Signature   | 261111.66   |  |                 |  |                      |  |  |  |  |  |  |
| Name (Print/Type)   | RANK C NICHOLAS   |  | NOVEMBER        | 21, 2005                                   |                      |  |  |  |  |  |  |

The celection of information is required by 37 CFR 1 114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U 5 C 122 and 37 CFR 1 11 and 1 14. This collection is estimated to take 12 minutes to complete including gamening, preparing, and submiting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information. Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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